

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

UNITED STATES OF AMERICA)	DOCKET NO. 5:19-cr-21-FDW
)	
v.)	
)	
REGULO RANGEL-GUTIERREZ)	FACTUAL BASIS
)	

NOW COMES the United States of America, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the Plea Agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the Defendant will tender pursuant to the Plea Agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The Defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

1. From at least as early as in or about 2018 to in or about February 2019, in Iredell County and Mecklenburg County, within the Western District of North Carolina, and elsewhere, the Defendant, REGULO RANGEL-GUTIERREZ, did knowingly and intentionally conspire and agree with other persons, known and unknown to the Grand Jury, to distribute and to possess with intent to distribute five (5) kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 846.

2. On or about January 24, 2019, in Iredell County and Mecklenburg County, within the Western District of North Carolina, and elsewhere, the Defendant, REGULO RANGEL-GUTIERREZ, did knowingly and intentionally possess with intent to distribute a mixture and

substance containing five hundred (500) grams or more of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

3. On or about February 10, 2019, in Iredell County, within the Western District of North Carolina, and elsewhere, the Defendant, REGULO RANGEL-GUTIERREZ, being an alien, knowingly and unlawfully did and attempted to enter and was found in the United States without the express advance consent of the Attorney General or Homeland Security Secretary, and this occurred after he had been deported and removed from the United States and subsequent to a conviction for the commission of a felony, all in violation of Title 8, United States Code Sections 1326(a) and (b)(1).

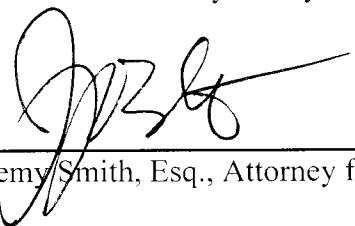
R. ANDREW MURRAY
UNITED STATES ATTORNEY



STEVEN R. KAUFMAN
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Information, and the Plea Agreement in this case, and have discussed them with the Defendant. Based on those discussions, I am satisfied that the Defendant understands the Factual Basis, the Bill of Information, and the Plea Agreement. I hereby certify that the Defendant does not dispute this Factual Basis.



Jeremy Smith, Esq., Attorney for Defendant

DATED: 3/1/19